

AKIN GUMP STRAUSS HAUER & FELD LLP
LAURA M. FRANZE (SBN 250316)
lfranze@akingump.com
1700 Pacific Ave., Suite 4100
Dallas, Texas 75201
Telephone: 214-969-2800
Facsimile: 214-969-4343

AKIN GUMP STRAUSS HAUER & FELD LLP
SARA G. NOEL (SBN 226764)
sgnoel@akingump.com
580 California Street, Suite 1500
San Francisco, California 94104-1036
Telephone: 415-765-9500
Facsimile: 415-765-9501

ATTORNEYS FOR DEFENDANT
LOEWS CALIFORNIA THEATRES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANA OVERBO and
NICOLE BROWN-BOOKER,

Plaintiffs,

v.

LOEWS CALIFORNIA THEATRES, INC.
dba AMC LOEWS METREON 16 IMAX;
WESTFIELD CORPORATION; and DOES
1 through 10, inclusive,

Defendants.

Case No. C07-05368 WDB

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
RESPOND TO DEFENDANT
WESTFIELD, LLC'S CROSS-CLAIM**

Magistrate Judge Wayne D. Brazil

WHEREAS, plaintiffs Jana Overbo and Nicole Brown-Booker filed this action (the "Action") on October 19, 2007 against defendants Loews California Theatres, Inc. dba AMC Loews Metreon 16 IMAX, and Westfield Corporation;

WHEREAS, defendant Westfield, LLC filed its cross-claim (the "Cross-Claim") on November 15, 2007 against defendant Loews California Theatres, Inc. dba AMC Loews Metreon 16 IMAX;

WHEREAS, the Cross-Claim was served on defendant Loews California Theatres, Inc. on November 15, 2007;

6173807

1 WHEREAS, defendant Westfield, LLC filed an amended cross-claim on November 21, 2007
2 against defendant Loews California Theatres, Inc. dba AMC Loews Metreon 16 IMAX;

3 WHEREAS, the amended cross-claim was served on defendant Loews California Theatres, Inc.
4 on November 21, 2007;

5 WHEREAS, the deadline for defendant Loews California Theatres, Inc. to respond to the
6 Cross-Claim is currently December 5, 2007;

7 WHEREAS, defendant Loews California Theatres, Inc. believes the proper defendant party to
8 be American Multi-Cinema, Inc.;

9 WHEREAS, the parties are continuing to discuss the issue of whether defendant Loews
10 California Theatres, Inc. is properly named in the Cross-Claim, and are assessing whether American
11 Multi-Cinema, Inc. should respond to the Cross-Claim for defendant Loews California Theatres, Inc.,
12 but ask for fourteen days for American Multi-Cinema, Inc. to complete this assessment and file such
13 response;

14 WHEREAS, the parties would like to minimize fees and expenses in the Action while these
15 discussions are pending;

16 WHEREAS, the parties have not previously sought any extensions of time for defendant Loews
17 California Theatres, Inc. to respond to the Cross-Claim;

18 NOW, THEREFORE, defendants Loews California Theatres, Inc. dba AMC Loews Metreon 16
19 IMAX, and Westfield, LLC hereby stipulate and agree to extend the deadline for responding to the
20 Cross-Claim for American Multi-Cinema, Inc., on behalf of defendant Loews California Theatres, Inc.,

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 6173807

1 or by defendant Loews California Theatres, Inc., as applicable, for 14 days, until and including
2 Tuesday, December 19, 2007.

3
4
5 Dated: December 5, 2007

Dated: December 5, 2007

6 KATTEN MUCHIN ROSENMAN LLP

AKIN GUMP STRAUSS HAUER & FELD LLP

7
8 By /s/ Thomas J. Leanse
Thomas J. Leanse

By /s/ Sara G. Noel
Sara G. Noel

9 Attorneys for Defendant WESTFIELD, LLC

Attorneys for Defendant LOEWS CALIFORNIA
THEATRES, INC.

10
11
12 GOOD CAUSE APPEARING, IT IS SO ORDERED.

13 Dated: 12-6-07

14
15 

16 HON. WAYNE D. BRAZIL

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 580 California Street, Suite 1500, San Francisco, CA 94104. On December 5, 2007, I served the foregoing document(s) described as: STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO DEFENDANT WESTFIELD, LLC'S CROSS-CLAIM on the interested party(ies) below, using the following means:

Paul L. Rein, Julie A. Ostil, and Ann Winterman
Law Offices of Paul L. Rein
200 Lakeside Drive, Suite A
Oakland, CA 94612

Thomas J. Leanse
Helen M. Cho
Katten Muchin Rosenman LLP
2029 Century Park East, Suite 2600
Los Angeles, CA 90067-3012

☒ BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid at San Francisco, California.

☐ BY OVERNIGHT DELIVERY I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the respective address(es) of the party(ies) stated above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ BY MESSENGER SERVICE I served the documents by placing them in an envelope or package addressed to the respective address(es) of the party(ies) stated above and providing them to a professional messenger service for service.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 5, 2007 at San Francisco, California.

HOLLY B. TOSCHI

[Name of Person Executing Proof]

[Signature]